



W AF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/608,989  
Applicants: Michael D. Kotzin  
Filed: June 27, 2003  
TC/A.U.: 2626  
Examiner: Knepper, David D  
Docket No.: CS22156RL/10-160  
Customer No.: 51874

Confirmation No. 6421

Certificate of Mailing	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on	
7/21/06	Date
<i>Charles W. Bethards</i>	
Charles W. Bethards	

**RESPONSE TO NON-COMPLIANT APPEAL BRIEF UNDER MPEP 1205.03(B)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Non-Compliant Appeal Brief of June 30, 2006, please replace "V. Summary of the Invention" pages 5 and 6 of the Appeal Brief with the enclosed "V. Summary of Claimed Subject Matter" pages 5 and 6 for the Appeal Brief concerning the above-identified application.

**Comments/Remarks**

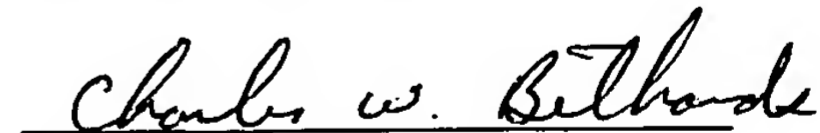
A Notification of Non-Compliant Appeal Brief, dated June 30, 2006 has been received. In the Notice the Examiner noted that Section V. of the Appeal Brief originally filed on March 20, 2006 used an incorrect title and only generically describes the independent claims.

Based on Applicant's review and a July 20, 2006 telephone conversation with Examiner Knepper, original Section V. did not clearly indicate specific independent claims by number. Applicant respectfully submits that Section V. does include appropriate Figure and Specification references for all independent claims. Replacement Section V. has been reformatted to use a new paragraph for each independent claims and references to specific independent claims have been added.

Applicant thus respectfully submits that any deficiencies in the originally filed Appeal Brief have been corrected and therefore requests that Replacement Section V. be entered and that the Appeal process be moved forward in a timely manner.

Although it is not anticipated that any fees are due or payable since this response is being timely filed within the thirty day time period, the Commissioner is hereby authorized to charge any fees that may be required or credit any over payments to Deposit Account No. **50-3435**.

Respectfully submitted,

  
Charles W. Bethards  
Reg. No. 36,453

Encls: Section V  
Law Office of Charles W. Bethards, LLP  
P.O. Box 1622  
Colleyville, Texas 76034  
Phone (817) 581-7005  
Fax (817) 281-7136  
Customer No. 51874

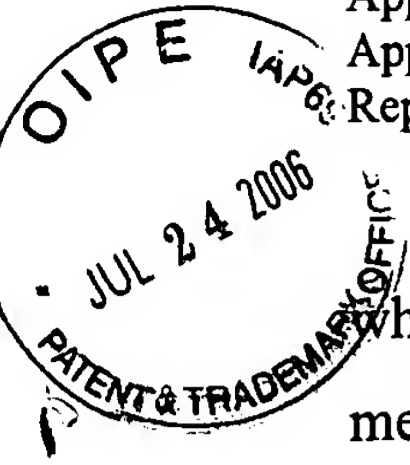


## SUMMARY OF CLAIMED SUBJECT MATTER

The present invention concerns assisting with control of a subscriber device. The independent claims define a method (claim 1) (FIG. 3, 4) for a remote agent to assist with control of a subscriber device, a server (claim 12) (FIG. 2) arranged to assist with control of a subscriber device, and a corresponding software program (claim 23) executing on a server. Generally, spoken instructions at a subscriber device are sent via a message to a remote agent or server where they are converted to control commands that are returned to the subscriber device to thereby assist with control of the device. By way of a simple example, MY TELEPHONE NUMBER may be spoken and a remote agent would provide, via a message, control commands (keypad strokes or other commands) to control the device so as to retrieve the number from the subscriber device memory. See page 17, line 11 et sequence for additional examples. FIG. 1 illustrates an exemplary system, various subscriber devices (communications units) 101, 103, 105, and servers (remote agent 119 with memory 121, assistant agents 123, 125, 127).

A method 300 in accordance with claim 1 (discussed on page 18, beginning at line 12 and depicted in flow chart form by FIG. 3) comprises receiving from the subscriber device, an instruction message that corresponds to spoken instructions 303; converting the spoken instructions to control commands 309; providing a control message corresponding to the control commands 313; and sending the control message from the remote agent to the subscriber device 315 (page 19, lines 12-14), thereby assisting with the control of the subscriber device (lines 14-20).

A server 200 in accordance with claim 12 (description beginning at page 8, line 7 with operational characteristics described beginning at page 11, line 19 and depicted in FIG. 2) includes a receiver 203 to receive from the subscriber device an instruction message that corresponds to spoken instructions (page 12, lines 3, et sequence); a controller 207, coupled to the receiver to convert the spoken instructions to control commands and to provide a control message corresponding to the control commands (page 12, line 20 et sequence); and a transmitter 205, coupled to the controller, to send the control message to the subscriber device (page 13, line 21, et sequence), thereby assisting with the control of the subscriber device.



A software program in accordance with claim 23 (generally reflected in FIG. 2, 227-239) when loaded and executing on a processor 223 of a server 200 results in the server performing a method, e.g., method 300 (page 18, lines 8-11).

Dependent Claims 2, 13, 24, recite converting the spoken instructions to control commands corresponding to a type of subscriber device (e.g., page 12, lines 22-24). Dependent claims 3, 14 recite where the spoken instructions are converted to the control commands that correspond to keypad activations at the subscriber device (e.g., page 12, lines 21-22). Dependent claims 7, 18, 26 recite receiving the instruction message at a remote agent and forwarding this to an assistant agent for conversion and returning a message with control commands to the remote agent (e.g., page 14, lines 20-24; FIG. 4 description beginning at page 19, line 21).